



CHESTER J. CULVER
GOVERNOR

OFFICE OF THE GOVERNOR

PATTY JUDGE
LT. GOVERNOR

CERTIFIED MAIL, RETURN RECEIPT REQUESTED

January 14, 2010

Dan Olson
Grain Processing Corporation
1600 Oregon Street
Muscatine, Iowa 52761-1494

William Poggemiller, President
Lorraine Orr, Secretary
UFCW
1401 Oregon Street
Muscatine, Iowa 52761

Re: GPC/UFCW Lockout - Appointment of Board of Arbitration & Conciliation

Dear Mr. Olson, Mr. Poggemiller and Ms. Orr:

On December 28, 2009, Wayne E. Shoultz, Chair of Muscatine County Board of Supervisors, pursuant to Chapter 679B of the Iowa Code, presented a written application to my office requesting me to appoint a board of arbitration and conciliation to resolve the ongoing labor dispute between Grain Processing Corporation ("GPC") and UFCW, Local 86D ("UFCW").¹ Attached please find a copy of Mr. Shoultz's letters for your records.

Pursuant to the powers invested in my office under that statutory provision, I hereby provide you with notice of my intent to appoint said board of arbitration and conciliation.

Accordingly, both GPC and UFCW shall each have within three days from the date of receipt of this notification to name five people who have no direct interest in such dispute and are willing and ready to act as members of the board of arbitration. I, in turn, shall appoint from each list submitted to my office, one by GPC and one by UFCW, one of such persons recommended.

If either of the parties fails or neglects to make any recommendations within the three days, I shall, as soon as possible thereafter, appoint a fit person who shall be deemed to be appointed on the recommendations of the parties in default. Subsequently, the two members of the board so-appointed shall, within five days of their appointment, recommend

¹ When any dispute arises between any Iowa person, firm, corporation, or association of employers and their employees, which has or is likely to cause a strike or lockout, involving ten or more wage earners, and which does or is likely to interfere with the due and ordinary course of business, or which jeopardizes the welfare of the community, and the parties thereto are unable to adjust same, either or both parties to the dispute, or mayor of the city, or the chairperson of the board of supervisors of the county in which said employment is carried on, may make a written application to the Governor for the appointment of a board of arbitration and conciliation. Iowa Code § 679B.1 (2009).

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to my office the name of one person who is ready and willing to act as a third member of the board.

Upon the board's appointment, its members shall as soon as practical visit the place where the dispute exists and make carefully inquiry. The board shall hear all persons interested who come before it, advise the parties what ought to be done or submitted to by either or both of the parties to adjust this controversy, and make a written decision thereof. The board members shall, within ten days from the date of their appointment, unless such time shall be extended by me, complete the investigation of the dispute.

Within five days after the completion of the board's investigation, unless the time is extended by me for good cause shown, the board or a majority thereof, shall render a decision, and make a written report to my office of their findings of fact and of their recommendations to each party to the controversy. The board's decision shall at once be made public and open to public inspection and a copy of such report shall be filed in the Muscatine City Clerk's Office. Every decision and report issued by the board shall be filed in the Office of the Governor, and a copy of the same shall be served upon each party to the controversy, and a copy of the same shall be furnished to the labor commissioner for publication in the report of the commissioner, who shall publish such decision and report in two newspapers of general circulation in Muscatine County. All evidence taken and exhibits and documents offered shall be carefully preserved and at the close of the investigation shall be filed in the Office of the Governor and shall only be subject to inspection upon the Governor's order.

I am hopeful the appointment of this board of arbitration and conciliation will bring this dispute to a close and allow UFCW members to resume work at GPC under amicable terms. Upon receipt of this letter, should you have any questions or concerns, please do not hesitate to contact James C. Larew, our General Counsel, at 515-281-0208.

Sincerely,



Chester J. Culver
Governor of Iowa

cc: Wayne E. Shoultz, Chair, Muscatine County Board of Supervisors
David Neil, Iowa Labor Commissioner, Iowa Workforce Development